

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Jermaine Randolph England, )  
                               )  
Petitioner,                 )  
                               ) Civil Action No.: 4:07-010-TLW  
vs.                         )  
                               )  
Matthew Hamidullah, Warden, )  
                               )  
Respondent.                 )  
                               )

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**ORDER**

The *pro se* petitioner, Jermaine Randolph England (“petitioner”) filed a petition for writ of habeas corpus on January 3, 2007. (Doc.#1). In the petition, petitioner asserts that a detainer lodge against him by Beaufort County should be dismissed in that Beaufort County violated the terms of the Interstate Agreement on Detainers (“IAD”). Specifically, petitioner alleges he demanded his right to trial from Beaufort County, and the Beaufort County Solicitor failed to provide the trial within the mandated period. (Doc. #1). On June 12, 2007, the respondent filed a motion for summary judgment. (Doc. #14). On June 13, 2007, United States Magistrate Judge Thomas E. Rogers, III, issued an order Pursuant to Roseboro v. Garrison, 528 F.2d 309 (4<sup>th</sup> Cir. 1975), advising petitioner of the motion for summary judgment procedure and the possible consequences if he failed to respond adequately. (Doc. #15). The petitioner failed to file a response to the motion for summary judgment.

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by Judge Rogers, to whom this case had previously been assigned. (Doc. #17). In the

Report, Magistrate Judge Rogers recommends that the District Court dismiss the complaint according to Rule 41 (b) of the Federal Rules of Civil Procedure for failure to prosecute and/or failure to comply with orders of the court. Ballard v. Carlson, 882 F.2d 93 (4<sup>th</sup> Cir.1989), cert. denied 493 U.S. 1084 (1990) and Chandler Leasing Corp. v. Lopez, 669 F.2d 919 (4<sup>th</sup> Cir. 1982). The petitioner has not filed any documents with the court since the filing of the complaint. The Report and Recommendation was filed by Magistrate Judge Rogers on July 26, 2007. (Doc. #17). The plaintiffs objections to the Report were due on August 13, 2007. The petitioner has filed no objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4<sup>th</sup> Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED** (Doc. #17) and the petitioner's complaint dismissed pursuant to Rule 41 (b) of the Federal Rules of Civil Procedure.

**IT IS SO ORDERED.**

S/Terry L. Wooten

Terry L. Wooten  
United States District Judge

August 30, 2007  
Florence, South Carolina